

other fund they may deem necessary: and provided, in the event any such transfer should be made, as above provided for, then and in that event the commissioners court shall reduce the succeeding annual levy of a county ad valorem tax for general purposes proportionately.'"

Senator Goss raised the point of order against the foregoing amendment that it provides for the raising of revenues and that bills of this character must originate in the House.

The Chair (President Pro Tem. Miller) sustained the point of order.

Senator Goss then offered the following amendment:

"Amend by adding Section 2 and changing Sections 3 and 4 to correspond, as follows:

"The sum of \$200,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the State treasury not otherwise appropriated to be used in payment of the expenses for which the State is made liable by this act.'"

Pending action on the foregoing,

Senator James moved to table the same.

Pending action on Senator James' motion to table, the roll call developed no quorum voting, the following Senators answering to their names:

Yeas—15.

Davidson of	Potter.
DeWitt.	Savage.
Davidson of	Staples.
Galveston.	Swann.
Grinnan.	Wayland.
Harris of Hunt.	Wheeler.
James.	Wilson.
Lipscomb.	Yett.
Odell.	

Nays—4.

Goss.	Paulus.
Miller.	Turner.

Absent.

Beaty.	McGee.
Dibrell.	Neal.
Hanger.	Patterson.
Harris of Bexar.	Stafford.
Johnson.	Turney.
Lloyd.	

Absent—Excused.

Sebastian.

ADJOURNMENT.

Pending further action on Senate bill No. 161, the Senate, at 3:50 o'clock p. m., on motion of Senator Wayland, adjourned until 10 o'clock a. m. tomorrow.

FORTIETH DAY.

Senate Chamber,
Austin, Tex., Thursday, March 14, 1901.

Senate met pursuant to adjournment.
Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Present—25.

Beaty.	Neal.
Davidson of	Odell.
DeWitt.	Patterson.
Davidson of	Paulus.
Galveston.	Potter.
Goss.	Savage.
Hanger.	Staples.
Harris of Hunt.	Swann.
James.	Turner.
Johnson.	Wayland.
Lipscomb.	Wheeler.
Lloyd.	Wilson.
McGee.	Yett.
Miller.	

Absent—4.

Dibrell.	Harris of Bexar.
Grinnan.	Sebastian.

Absent—Excused.

Stafford.	Turney.
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Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday,

On motion of Senator Neal, the same was dispensed with.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, March 13, 1901.
Hon. J. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

House bill No. 217, being a bill to be entitled "An Act to extend relief to Fort Bend county, and to authorize said county to have certain bonds heretofore issued by it canceled and annulled; and providing service by publication to the holders thereof, where their names or residence is unknown,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

POTTER, Acting Chairman.

Committee Room,
Austin, Texas, March 13, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Substitute House bill No. 124, being a bill to be entitled "An Act to amend Section 6 of an act entitled 'An Act to define and regulate fraternal and beneficiary societies, orders or associations; to prescribe the terms and conditions on which such societies organized under the laws of other States, or those doing business in other States, may be permitted to do business in Texas, and to define the duties of the Commissioner of Insurance in this State in relation thereto; providing for the incorporation of societies,' being Chapter 115 of the General Laws passed by the Twenty-sixth Legislature at its Regular Session; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

POTTER, Acting Chairman.

Committee Room,
Austin, Texas, March 13, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

House bill No. 23, being a bill to be entitled "An Act to restore and confer on the county court of Coke county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and general statutes of the State; to conform the jurisdiction of the district court of said county to such change; and to repeal all laws in conflict with the provisions of this act in so far as they relate to Coke county,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

POTTER, Acting Chairman.

Committee Room,
Austin, Texas, March 13, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 200, being a bill to be entitled "An Act authorizing the filing of notice of the pendency of suit affecting real property by the parties to said suit, in the office of the county clerk in the county where the property is situated; making the filing of such notice con-

structive notice of said suit and its object to any purchaser or incumbrancer of said property; providing that every purchaser or incumbrancer whose conveyance is not recorded shall be deemed a subsequent purchaser or incumbrancer; providing for the recording of such notice; and defining the word incumbrancer as used in this act,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

POTTER, Acting Chairman.

Committee Room,
Austin, Texas, March 13, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 233, being a bill to be entitled "An Act to amend Article 3194, Title LXII, Chapter 7, of the Revised Civil Statutes of the State of Texas, relating to jury fees, and to repeal all laws and parts of laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not pass*.

POTTER, Acting Chairman.

Committee Room,
Austin, Texas, March 13, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 193, being a bill to be entitled "An Act to define the duties, rights and liabilities of abstractors of titles to real estate in this State,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not pass*.

POTTER, Acting Chairman.

Committee Room,
Austin, Texas, March 13, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 250, being a bill to be entitled "An Act to provide for the organization of corporations for the purpose of acting as sureties and guarantors of contracts between private individuals, firms or corporations, and to act as sureties and guarantors of bonds for title, covenants, warrants and undertakings affecting the title of real estate within the State of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

POTTER, Acting Chairman.

Committee Room,
Austin, Texas, March 13, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 239, being a bill to be entitled "An Act to amend Chapter 1, of Title IX, of the Revised Statutes of Texas, by adding Article 142a, providing what fees shall be paid county attorneys, county clerks and sheriffs in lunacy cases,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not* pass, but that the following committee substitute pass in lieu thereof.

S. S. B. No. 239.] [By Committee.

A BILL

TO BE ENTITLED

An Act to prescribe the fees to be paid to county attorneys, county clerks, sheriffs and jurors in judicial proceedings in cases of lunacy; to prescribe who shall pay the same, and to repeal all laws and parts of laws in conflict herewith.

Be it enacted by the Legislature of the State of Texas:

Section 1. That in judicial proceedings in cases of lunacy, as prescribed in Chapter 1, Title IX, of the Revised Civil Statutes of the State of Texas, in each case the county attorney shall be allowed a fee of \$2.50, the sheriff and county clerk shall be allowed the same fees as are now allowed said officers for similar services in misdemeanor cases; provided, that such fees shall be allowed only when a conviction is obtained; and provided further, that in no case shall the sheriff receive more than four dollars, exclusive of mileage, in executing the warrant of arrest, and the county clerk shall in no case receive more than three dollars, said cost to be paid out of the estate of the defendant if he shall have estate sufficient therefor, otherwise said costs shall be paid out of the county treasury, and the jurors in such cases shall be allowed fifty cents each to be paid out of the county treasury.

Sec. 2. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 3. The fact that there is now no definite law in this State prescribing the

fees of county attorneys, sheriffs, county clerks and jurors in judicial proceedings in cases of lunacy, and the near approach of the close of the present session of the Legislature, creates an emergency and an imperative public necessity requiring bills to be read on three several days be suspended and this act take effect and be in force from and after its passage, and it is so enacted.

POTTER, Acting Chairman.

Committee Room,
Austin, Texas, March 13, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

House bill No. 309, being a bill to be entitled "An Act to ascertain and adjudicate, by suit against or by the State, certain claims against or in favor of the State, for land lying between the Nueces and Rio Grande rivers; to adjust and settle the rights of the State and the owners or claimants thereof, respectively, of such lands, and if found valid to confirm as against the State, the right and title of such claimants or owners, and patent the same, or the recovery thereof by the State,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

POTTER, Acting Chairman.

Committee Room,
Austin, Texas, March 13, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

House bill No. 147, being a bill to be entitled "An Act to amend an act entitled 'An Act to amend Article 2313, Chapter 4, Title XL, of the Revised Civil Statutes of the State of Texas, 1895, relating to the introduction of certain abstracts of title as evidence,' passed by the Twenty-fifth Legislature, being Chapter 108 of the General Laws of the Regular Session thereof,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

POTTER, Acting Chairman.

Committee Room,
Austin, Texas, March 13, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 188, being a bill to be entitled "An Act to amend Article 1383, Chapter 19, Title XXX, of the Revised Statutes adopted in 1895, so as to authorize and provide for appeals to the Court of Civil Appeals from interlocutory orders granting or dissolving injunctions,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

POTTER, Acting Chairman.

MAJORITY REPORT.

Committee Room,
Austin, Texas, March 13, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 176, A bill to be entitled "An Act to amend Chapter 94 of the Acts of the Twenty-fifth Legislature, passed at its Regular Session, 1897, by adding to said act Sections 5, 6 and 7, providing for the interchange of cash for securities, or securities for the cash deposited with the State Treasurer, at the option of such companies as are mentioned in this act; Section 6 authorizing the State Treasurer, upon the warrant of the Comptroller, to return to any such company as is mentioned in said act the cash or securities deposited with the State Treasurer, when such company ceases to do business in this State, and shall satisfy the Comptroller that it has no liability in this State; and Section 7 declaring an emergency and providing that this act shall take effect from and after its passage,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not pass*.

POTTER, Acting Chairman.

MINORITY REPORT.

Committee Room,
Austin, Texas, March 13, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: A minority of your Judiciary Committee No. 1, to whom was referred

Senate bill No. 176; A bill to be entitled "An Act to amend Chapter 94 of the Acts of the Twenty-fifth Legislature, passed at its Regular Session, 1897, by adding to said act Sections 5, 6 and 7, providing for the interchange of cash for securities, or securities for the cash deposited with the State Treasurer, at the

option of such companies as are mentioned in this act; Section 6 authorizing the State Treasurer, upon the warrant of the Comptroller, to return to any such company as is mentioned in said act the cash or securities deposited with the State Treasurer, when such company ceases to do business in this State, and shall satisfy the Comptroller that it has no liability in this State; and Section 7 declaring an emergency and providing that this act shall take effect from and after its passage,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

DAVIDSON of Galveston.

MAJORITY REPORT.

Committee Room,
Austin, Texas, March 13, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

House bill No. 174, being a bill to be entitled "An Act to amend Article 1316, Chapter 12, Title XXX, of the Revised Civil Statutes of the State of Texas, and to require the judges of the district courts, and to permit the judges of the county courts, to prepare and read their charges to the jury before counsel shall argue the cause to the jury, and to repeal all laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not pass*.

POTTER, Acting Chairman.

MINORITY REPORT.

Committee Room,
Austin, Texas, March 13, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: A minority of your Judiciary Committee No. 1, to whom was referred

House bill No. 174, being a bill to be entitled "An Act to amend Article 1316, Chapter 12, Title XXX, of the Revised Civil Statutes of the State of Texas, and to require the judges of the district courts, and to permit the judges of the county courts, to prepare and read their charges to the jury before counsel shall argue the cause to the jury, and to repeal all laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recom-

mendation that it *do* pass with the following amendments: -

"Strike out the word 'may' in Section 1 between the words 'county judge' and 'deliver' and insert in lieu thereof the word 'shall,' and by adding at the end of Section 1 the following: 'Shall apply to all cases, both civil and criminal, in all courts of record in this State.'"

DAVIDSON of Galveston,
HANGER.

Committee Room,
Austin, Texas, March 13, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 74, being a bill to be entitled "An Act to prevent the running of more than one working locomotive on one train on any railroad, and providing a penalty and remedy for the violation of the provisions of said act,"

And find the same correctly engrossed.
BEATY, Chairman.

Committee Room,
Austin, Texas, March 12, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 258, being a bill to be entitled "An Act to amend the charter of the city of Dallas entitled 'An Act to incorporate the city of Dallas and to grant it a new charter,' approved May 9, 1899, as amended by an act entitled 'An Act to amend Sections 12, 56, 77, 119 and 120 of an act to incorporate the city of Dallas, and to grant it a new charter,' approved May 9, 1899, passed by the First Called Session of the Twenty-sixth Legislature, and to provide a just and effective law for making necessary street improvements and paying the cost of the same, by adding to said city charter of the city of Dallas Sections 1a to Section 30a, inclusive, and by repealing all laws and parts of laws in conflict with such added sections, and to declare an emergency,"

And find the same correctly engrossed.
BEATY, Chairman.

Committee Room,
Austin, Texas, March 13, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 259, being a bill to be entitled "An Act to amend certain sections of an act entitled 'An Act to incorporate the city of Dallas, and to grant it a new charter,' approved May 9, 1899, and subsequent amendments thereto passed by the First Special Session of the Twenty-sixth Legislature,"

And find the same correctly engrossed.
BEATY, Chairman.

EXCUSED.

On motion of Senator Neal, Senator Stafford was excused for non-attendance upon the Senate Tuesday and Wednesday of this week and from attendance upon the Senate the remainder of the week on account of sickness.

On motion of Senator Davidson of DeWitt, Senator Lloyd was excused for non-attendance upon the Senate Tuesday and Wednesday of this week on account of committee work.

On motion of Senator Turner, Senator Turney was excused for non-attendance upon the Senate Tuesday and Wednesday of this week and from attendance upon the Senate the remainder of the week on account of important business.

On motion of Senator Patterson, Senator Hanger was excused for non-attendance upon the Senate Friday and Saturday of last week and Wednesday of this week on account of sickness in his family.

BILLS AND RESOLUTIONS.

By Senator Davidson of DeWitt:

Senate bill No. 262, A bill to be entitled "An Act amendatory of and supplementary to Article 418, Title XVIII, Chapter 4, of the Revised Statutes."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Lipscomb:

Senate bill No. 263, A bill to be entitled "An Act to enable warehousemen to dispose of unclaimed personal property, and to provide for the sale of and disposition of proceeds of same."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Beaty:

Senate bill No. 264, A bill to be entitled "An Act to amend Section 5, Chapter 11, of the Acts of the First Called Session, Twenty-sixth Legislature, being 'An Act to define the permanent school fund of the State of Texas; to partition the public lands between said fund and the State, and to adjust the account between said fund and said State: to set apart and appropriate to said school fund, in part payment of said account, the resi-

due of the public domain of said State, to which the said fund is entitled under Section 2, Article 7, of the Constitution, adopted April 17, 1876; to appropriate the sum of seventeen thousand, one hundred eighty and twenty-seven one-hundredths dollars to the permanent school fund from the general revenue not otherwise appropriated, in full payment of the balance due to said fund by the State of Texas, under the Constitution of 1876; to provide for the survey, purchase and lease of said land, and the issuance of patents in certain cases; and providing for suit in Travis county against any person claiming any of the lands belonging to the school fund or any other fund.'"

Read first time, and referred to Committee on Public Lands.

By Senator Yett:

Senate bill No. 265, A bill to be entitled "An Act to amend Article 467, of Chapter 4, Title XVIII, Revised Civil Statutes, 1895, relating to city bonds and the investment of sinking funds collected for the purpose of the redemption of said bonds."

Read first time, and referred to Judiciary Committee No. 1.

The Chair here announced the morning call concluded.

FIRST HOUSE MESSAGE.

The following first House message was delivered to the Senate:

Hall of the House of Representatives,
Austin, Texas, March 14, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 297, A bill to be entitled "An Act to amend Chapter 52 of the General Laws of the State of Texas, passed at the Regular Session of the Twenty-sixth Legislature, and approved March 30, 1899, and entitled 'An Act to authorize the lease of any railroad connecting at the State line, and not exceeding thirty miles in length, by any railroad so connecting with the same,' so that the same shall read as follows: 'An Act to authorize the lease of any railroad connecting at the State line, not exceeding one hundred miles in length, by any railroad company owning or operating a road so connecting with same.'"

House bill No. 291, A bill to be entitled "An Act to authorize the Houston & Texas Central Railroad Company to purchase, own and operate the railroad of the Central Texas & Northwestern Rail-

way Company, with its franchises and appurtenances; the railroad of the Fort Worth & New Orleans Railway Company, with its franchises and appurtenances; the Lancaster Tap Railroad, with its franchises and appurtenances; the railroad of the Austin & Northwestern Railroad Company, with its franchises and appurtenances, upon certain conditions; and the railroad of the Grants Mountain & Marble Falls City Railroad Company, with its franchises and appurtenances; or either or any of such railroads, with its or their franchises and appurtenances; and to authorize the owners of each of said railroads, and its or their franchises and appurtenances, to sell the same; to authorize said Houston & Texas Central Railroad Company to issue additional mortgage bonds to the amount of the value of the railways, franchises and appurtenances so purchased, and to the amount of the value of the railroad hereafter constructed by it under the provisions of this act as fixed or as the same may be fixed by the Railroad Commission of Texas; and to regulate the reports of such properties, and the operations thereof; to provide for the dismissal without prejudice of the pending suit to forfeit the charter of the Austin & Northwestern Railroad Company; and to authorize the Houston & Texas Central Railroad Company to construct, own, operate and maintain, or to amend its articles of incorporation so as to authorize it to construct, own, operate and maintain a railroad from a connection with the Austin & Northwestern Railroad in Burnet county to the town of Lampasas."

House bill No. 275, A bill to be entitled "An Act to amend Section 26, Chapter 5, General Laws of the State of Texas, passed at the First Called Session of the Twenty-fifth Legislature of the State of Texas, approved June 26, 1897, fixing certain civil fees to be charged by certain county and precinct officers."

House bill No. 242, A bill to be entitled "An Act authorizing owners of land to drain the same in the general course of natural drainage, and exempting them from liability for any damage occasioned by such drainage, and declaring an emergency," with amendment.

House bill No. 255, A bill to be entitled "An Act to amend Article 1039, Chapter 21, Title XXVII, of the Revised Civil Statutes of Texas, and to add thereto Article 1039a, prescribing the proceedings of the Courts of Civil Appeals in making and ling conclusions of fact and law."

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

SECOND HOUSE MESSAGE.

The following second House message was delivered to the Senate:

Hall of the House of Representatives.
Austin, Texas, March 14, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 142, A bill to be entitled "An Act to provide for the organization, control, management and active operation of the Southwest Texas Normal School, located at San Marcos, Hays county, Texas; the control and improvement of the grounds belonging to the same; the erection of the necessary buildings for said school; furniture for same; water, lights and heating of said buildings; and appropriating money for these purposes." with amendment.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

SENATE BILL NO. 161—PENDING BUSINESS.

The Chair laid before the Senate, the pending business,

Senate bill No. 161, A bill to be entitled "An Act to amend Article 4339, of Title XCII, of the Revised Statutes, relating to quarantine, and to the county physician, his election, duties, salary, etc., and for his appointment by the Governor in case of failure of election by the commissioners court; also to amend Article 4340, of Title XCII, of the Revised Statutes, relating to declaring quarantine in counties, cities and towns, and to the maintenance of the same; and adding Article 4350a, providing for the declaration of quarantine in and for the counties where the commissioners courts fail or refuse to act, and for the payment of expenses of county quarantines; and adding Article 4342b, providing for the arrest and detention by the county physician of persons infected or violating quarantine laws in their homes or elsewhere; and adding Article 4342c, providing for fees for disinfecting and boarding vessels at quarantine; and adding Article 4343d, requiring quarantine officers to give bond."

SENATE BILL NO. 213—ON SECOND READING.

On motion of Senator Davidson of DeWitt, the pending business (Senate bill No. 161) was suspended and the Senate took up, out of its order,

Senate bill No. 213, A bill to be entitled "An Act to prescribe the time of holding the terms of the district court in the Twenty-fourth Judicial District of Texas, and to regulate the issuance of process in said district."

The Chair laid the bill before the Senate, on its second reading.

Bill was read second time, and ordered engrossed.

On motion of Senator Davidson of DeWitt, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Beaty.	Miller.
Davidson of	Neal.
DeWitt.	Odell.
Davidson of	Patterson.
Galveston.	Paulus.
Goss.	Potter.
Grinnan.	Savage.
Hanger.	Swann.
Harris of Hunt.	Turner.
James.	Wayland.
Lipscomb.	Wheeler.
Lloyd.	Wilson.
McGee.	Yett.

Absent.

Dibrell.	Sebastian.
Harris of Bexar.	Staples.
Johnson.	

Absent—Excused.

Stafford.	Turney.
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Bill was read third time, and passed by the following vote:

Yeas—24.

Beaty.	McGee.
Davidson of	Miller.
DeWitt.	Neal.
Davidson of	Patterson.
Galveston.	Paulus.
Goss.	Potter.
Grinnan.	Savage.
Hanger.	Swann.
Harris of Hunt.	Turner.
James.	Wayland.
Johnson.	Wheeler.
Lipscomb.	Wilson.
Lloyd.	Yett.

Absent.

Dibrell.	Sebastian.
Harris of Bexar.	Staples.
Odell.	

Absent—Excused.

Stafford.	Turney.
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Senator Davidson of DeWitt moved to reconsider the vote by which the bill

was passed, and lay that motion on the table.

Motion to table prevailed.

SENATE BILL NO. 155—ON SECOND READING.

On motion of Senator Hanger, the pending business (Senate bill No. 161) was suspended and the Senate took up, out of its order,

Senate bill No. 155, A bill to be entitled "An Act to provide for the appointment and qualification of an auditor for each of the counties of Texas, and for his removal therefrom for cause, and prescribing his powers and duties as such, and fixing a penalty for wilfully making a false or fraudulent report as such, and providing for the compensation of such auditor; and providing further, making this act cumulative of all laws of this State on the subject of county finances, when not in conflict therewith, and in case of conflict this act to control, and declaring an emergency."

The Chair laid the bill before the Senate, on its second reading, with the following committee amendment:

"Amend the bill by adding at the end of Section 19 the following: 'Provided, the provisions of this act shall only apply to counties in which there is a city of as much as 25,000 population.'"

Bill was read second time, and

Pending action on the committee amendment,

Senator Davidson of DeWitt offered the following amendment to the same:

"Amend by adding to the committee amendment the following: 'And that in all other counties in this State an auditor may be appointed under the terms of this act who shall act as such for three months only of each year, and that his salary shall be fixed by the commissioners court for the time served, not to exceed \$150 per month.'"

(Senator Turner in the chair.)

Amendment was read, and adopted by the following vote:

Yeas—17.

Davidson of	Miller.
DeWitt.	Neal.
Davidson of	Odell.
Galveston.	Paulus.
Hanger.	Potter.
Harris of Hunt.	Swann.
James.	Turner.
Johnson.	Wayland.
Lipscomb.	Yett.
McGee.	

Nays—5.

Goss.	Savage.
Grinnan.	Wheeler.
Lloyd.	

Absent.

Beaty.	Sebastian.
Dibrell.	Staples.
Harris of Bexar.	Wilson.
Patterson.	

Absent—Excused.

Stafford.	Turney.
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The committee amendment as amended was read, and adopted, and

Senator Hanger offered the following amendment:

"Amend by adding at the end of Section 19, as amended, the following: 'Provided, the auditor herein named shall hold no other office of emolument or profit.'"

Amendment was read, and adopted.

Bill was then ordered engrossed.

On motion of Senator Hanger, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—20.

Beaty.	McGee.
Davidson of	Miller.
DeWitt.	Neal.
Davidson of	Odell.
Galveston.	Paulus.
Grinnan.	Potter.
Hanger.	Savage.
Harris of Hunt.	Swann.
James.	Turner.
Johnson.	Wayland.
Lipscomb.	Yett.

Nays—3.

Goss.	Patterson.
Lloyd.	

Present—Not voting.

Wheeler.

Absent.

Dibrell.	Staples.
Harris of Bexar.	Wilson.
Sebastian.	

Absent—Excused.

Stafford.	Turney.
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Bill was then read third time, and passed by the following vote:

Yeas—19.

Beaty.	McGee.
Davidson of	Miller.
DeWitt.	Neal.
Davidson of	Odell.
Galveston.	Paulus.
Goss.	Swann.
Hanger.	Turner.
Harris of Hunt.	Wayland.
James.	Wilson.
Johnson.	Yett.
Lipscomb.	

Nays—6.

Grinnan. Potter.
Lloyd. Savage.
Patterson. Wheeler.

Absent.

Dibrell. Sebastian.
Harris of Bexar. Staples.

Absent—Excused.

Stafford. Turney.

Senator Hanger moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

Motion to table prevailed.

SENATE BILL NO. 249—ON SECOND READING.

On motion of Senator Lloyd, the pending business (Senate bill No. 161) was suspended and the Senate took up, out of its order,

Senate bill No. 249, A bill to be entitled "An Act to restore and confer upon the county court of Angelina county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and general statutes of the State of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to such change; to fix the time of holding court; and to repeal all laws and parts of laws in conflict with this act."

The Chair laid the bill before the Senate, on its second reading.

Bill was read second time, and ordered engrossed.

On motion of Senator Lloyd, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Davidson of Miller.
DeWitt. Neal.
Davidson of Odell.
Galveston. Paulus.
Goss. Potter.
Grinnan. Savage.
Hanger. Swann.
Harris of Hunt. Turner.
James. Wayland.
Johnson. Wheeler.
Lipscomb. Wilson.
Lloyd. Yett.
McGee.

Absent.

Beaty. Patterson.
Dibrell. Sebastian.
Harris of Bexar. Staples.
Absent—Excused.
Stafford. Turney.

Bill was then read third time, and passed by the following vote:

Yeas—23.

Davidson of Miller.
DeWitt. Neal.
Davidson of Odell.
Galveston. Paulus.
Goss. Potter.
Grinnan. Savage.
Hanger. Swann.
Harris of Hunt. Turner.
James. Wayland.
Johnson. Wheeler.
Lipscomb. Wilson.
Lloyd. Yett.
McGee.

Absent.

Beaty. Patterson.
Dibrell. Sebastian.
Harris of Bexar. Staples.
Absent—Excused.
Stafford. Turney.

Senator Lloyd moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

Motion to table prevailed.

SENATE BILL NO. 212—ON SECOND READING.

On motion of Senator Neal, the pending business (Senate bill No. 161) was suspended and the Senate took up, out of its order,

Senate bill No. 212, A bill to be entitled "An Act to provide a more efficient road system for the county of Montgomery."

The Chair laid the bill before the Senate, on its second reading, and

Senator Neal offered the following amendment:

"Amend by striking out all after the enacting clause and insert the following:

"Section 1. That each member of the commissioners court of Montgomery county shall be ex-officio road commissioner of his respective district and, under the direction of the commissioners court, shall have charge of all teams, tools and machinery belonging to the county and placed in their hands, and it shall be their duty, under such rules and regulations as the commissioners court may provide, to superintend the laying out of new roads, and the making, changing and repair of roads, and the building and repair of bridges. Each of said commissioners shall, before entering upon the duties of his office, in addition to their regular bond as such commissioner, execute a bond of one thousand dollars, with two or more good and sufficient sureties, payable to the county judge of the county, for the use and ben-

efit of the road and bridge fund, conditioned that they will perform all the duties required of them by law or by the commissioners court, and that they will account for all property or money belonging to the county that may come into their possession; provided, that with the consent of the commissioners court, any one of said commissioners shall be allowed to appoint a competent person as deputy road commissioner, who shall be required to execute the same bond required of commissioners in this section; and such deputy road commissioner shall be entitled to the same compensation that is allowed county commissioners for the same service; provided, that county commissioners shall not be allowed any compensation as road commissioners when a deputy commissioner has been appointed, except for work done by him as such road commissioner in case of urgent necessity.

"Sec. 2. The commissioners court of said county shall have full power and authority, and it shall be its duty, to adopt such system for working, laying out, draining and repairing the public roads in said county as it may deem best, and from time to time said court may change its plan or system of working. Said commissioners shall have power to purchase such teams, tools and machinery for the working of its roads. Said court shall have power to construct, grade or otherwise improve any road or bridge by contract. In such cases said court or county judge may advertise, in such manner as said court may determine, for bids to do such work, and the contract shall be awarded to the lowest responsible bidder, who shall enter into bond, payable to the county judge of said county, for the use and benefit of the road and bridge fund, with good, sufficient sureties, to be approved by said court, and in such sum as said court may determine, for the faithful compliance with the terms of said contract; but said court shall have the right to reject any and all bids. At the time of making such contract the court shall direct the county treasurer to pass the amount to a particular fund for that purpose, and the same shall not be used for any other purpose, and it can only be paid out on the order of said court, and the said court shall have authority to employ any hands or teams to work on the roads, under such regulations and for such price as they may deem best.

"Sec. 3. The commissioners court of said county shall require all county convicts, not otherwise employed, to labor upon the public roads, under such reg-

ulations as they may prescribe, and each convict so worked shall receive a credit of fifty cents a day on his fine first and then on the costs for each day he may labor. Such commissioners court may provide such regulations and punishments as may be necessary to cause such convicts to perform good work, and may provide a reward not exceeding ten dollars, to be paid out of the road and bridge fund for the capture and delivery of any escaped convict, to be paid to any person other than the guard or person in charge of such convict at the time of his escape, which reward shall be taxed against such convict and worked out or paid by him as part of the cost. The commissioners court may grant a reasonable commutation of time for which a convict is committed, as a reward for faithful services and good behavior, in no case to exceed one-sixth of the whole time. The commissioners court may, at a regular term, make such provision for prisoners' clothing, bedding, food, medicine and medical attention and guards for the safe keeping and humane treatment of convicts. Said court may allow to the officers and witnesses such amount of their costs for the arrest and conviction of such convict as it may deem best; provided, that it shall not allow to any officer an amount greater than the following: County judge, three dollars; county attorney, five dollars, including commissions; county clerks and justices of the peace, one dollar and seventy cents; sheriffs and constables, five dollars; which amount shall be paid to the officers out of the road and bridge fund, upon the order of said court, when such fine and costs shall have been worked out as provided in this section; provided, that this shall not be construed as to relieve any convict from payment of all costs for which he would be liable under the General Laws of this State.

"Sec. 4. Each county commissioner shall have control over all road overseers in his district; and shall deliver to each of them all teams, tools and machinery necessary in working the roads in the district of said overseer, so far as he has been supplied therewith by the commissioners court, taking receipt of said overseer therefor, specifying each item and giving its value, which receipt shall be a full answer of the liability of the commissioners and shall fix the liability of the overseers; and any commissioner or overseer who shall have been entrusted with any teams, tools or machinery belonging to said county shall be liable for any damage to the same while in his possession, caused by his negligence or want of due care of the same,

and shall not use or permit the same to be used for private purposes without the consent of the commissioners court. It shall be the duty of the road overseer, when he has finished work on his roads, to return to said commissioner all teams, tools and machinery received from him, and take up the receipt given therefor.

"Sec. 5. It shall be the duty of the county commissioner when acting as road commissioner to inform himself of the condition of the public roads of his district, and shall determine what character of work shall be done upon said roads, and shall direct the manner of grading, draining or otherwise improving the same, which directions shall be observed and obeyed by all road overseers of his district, and the provisions of this section shall extend to work done under contract, unless by special provisions in the contract the road commissioner is relieved of the duties herein required.

"Sec. 6. The commissioner may require each road overseers in his district to call out the hands in such numbers as may be sufficient to perform the work, but no road hand shall be required to work exceeding five days in any one year, or two days with himself and team, unless the term of service, as prescribed by the General Laws of the State shall be extended beyond that time; and provided, that all road hands in any district shall, as far as practical, be worked a uniform time. Each road overseer, or in his absence, anyone deputized by him, shall have full control of all road hands within his road district, and shall see that each hand, when he is called out, performs a good day's work; if any hand when so called out shall fail or refuse to perform a good day's work or to work in the manner the overseer may direct, shall be liable to the same penalty as if he had failed to appear in obedience to the summon. The commissioners may allow any overseer who shall be engaged in the discharge of the duties of his office for more than five days in any one year a compensation not to exceed one dollar a day for the time so served; provided, that he shall make oath that the account is just and due.

"Sec. 7. Any citizen of Montgomery county liable for road duty who shall before the February term of the commissioners court of each year, pay to the county treasurer the sum of three dollars, shall be exempt from road duty for such year. The treasurer shall receive and receipt for all money so paid him, and shall place the same to the credit of the road and bridge fund, and shall keep

a separate account for each district from which it is received. The treasurer shall, on the first day of the February term of the commissioners court, or as soon thereafter as practical, furnish to each county commissioner a list of all persons in their respective districts that have paid the sum provided in this section.

"Sec. 8. Every person liable to work on roads by paying to his road overseer, at any time before the day appointed to work on his road, the sum of one dollar for each day that he is summoned and one dollar and fifty cents for each day he is summoned to furnish his team for road work shall be exempt from working or furnishing his team for each day paid for, and also exempt from any penalties for failure to work or furnish such team for the time for which he has so paid.

"Sec. 9. Each person summoned to work on a road shall take with him an axe, pick, spade, plow, scraper, or such other tool as may be desired and directed by the overseer, or, if he has no such tool as is desired and directed by the overseer to take with him, he shall take such suitable tools as he may have; provided, the county shall be liable for and the commissioners court, under such regulations as they may prescribe, shall pay for all breakage or damage to such tools as may have resulted from public road work and not caused by the negligence of the person furnishing the same. Such road overseer may also summon and require such road hand to bring with him for public road work such team or teams he may have on hand suitable for road work; provided, that such hand shall be allowed two and one-half days' time for each day put in by a hand with his team, and one and one-half days for his team without such hand.

"Sec. 10. If any person liable to work on the public roads, after being legally summoned, shall intentionally fail or refuse to attend either in person or by able and competent substitute, or fail or refuse to furnish his team or tools at the time and place designated by the person summoning him, or to pay such overseer one dollar per day for each day he may have been notified to work the road, or to pay said overseer the sum of one dollar and fifty cents for each day he may have been summoned to furnish himself and team for road work, or, having attended, shall fail to perform good service or any duty required of him by law or the person under whom he may work, shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding ten dollars.

"Sec. 11. At the regular term of the

commissioners court in February of each year, all road overseers shall make their reports, under oath, upon forms furnished by said court, which said report shall be examined by said court; and all accounts for services or labor performed for over work by such overseer during the past year, and of moneys had and expended by him, shall be audited and settled; and as soon thereafter as possible said commissioners court shall appoint and commission road overseers for the succeeding year. Any road overseer intentionally failing to perform his duties as road overseer, or failing or refusing to make his report as required by law, or failing or refusing to serve and perform the duties of overseer when appointed by said court, or to perform any other duty required of him by law or the commissioners court or by the commissioner of his district or his deputy, shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding twenty-five dollars.

"Sec. 12. Whenever it shall become necessary to occupy any land for the opening, straightening, widening or draining or repair of any road or part thereof, if the owner and the commissioners court cannot agree upon the price of such land or the damage to be paid, the county may proceed to condemn the same in the same manner that railroad can condemn land for right of way, and the same proceedings may be had and the same rights shall exist to each party as would exist if the proceedings were by a railroad company, except that the county shall in no case be required to give bond.

"Sec. 13. It shall be lawful for any delinquent poll tax payer in Montgomery county to perform two days service upon the public roads in his road precinct in each and every year, in discharge of said delinquent poll tax, unless the poll tax now provided for by the General Laws of Texas shall be changed, in which case a proportionate time for service shall be held to discharge said delinquent for one year's poll taxes; provided further, that this act shall not be held to annul any laws upon the general statutes of Texas for the collection of delinquent poll taxes, but cumulative thereto in Montgomery county; and provided further, that such delinquent tax-payers shall perform such road service under the direction of the overseer, under the same regulations herein provided for parties subject to road service under the General Laws of the State; and it shall be the duty of the tax collector to furnish a list of all delinquent poll tax payers of each

district to the commissioner of said district before the first day of March of each year.

"Sec. 14. The commissioners court shall be authorized to levy and collect a tax of not exceeding fifteen cents on the hundred dollars, to be used exclusively for road and bridge purposes, and the same shall be disbursed by the said court as they may deem best; provided, said court shall set aside annually, out of said fund, a sum sufficient to pay interest and provide a sinking fund necessary to discharge all outstanding bridge bonds as they mature.

"Sec. 15. Whenever a majority of the property tax-payers of Montgomery county, voting at an election for that purpose, shall favor, the commissioners court of said county shall be authorized to levy and collect a special tax of not exceeding fifteen cents on the one hundred dollars for road and bridge purposes, the same to be disbursed as hereinbefore provided.

"Sec. 16. Whenever the cost of a piece of road improvement or the cost of a bridge shall exceed two hundred dollars, the commissioners court shall cause the same to be done by contract as hereinbefore provided.

"Sec. 17. Every county commissioner shall, as soon as practical, after the February term of the commissioners court, take a list of all hands in his district, and also the number of miles of road in his district to be worked; and the condition of such roads and the approximate amount of work each and every road shall require to keep the same in, as far as possible, uniform condition, and apportion said hands so that no set of hands shall be required to do more than their proportionate share of road work in said district.

"Sec. 18. Every county commissioner, when acting road commissioner and performing the duties imposed upon him by law or by the commissioners court, shall be entitled to two dollars per day for the services actually performed; provided, said sum to be paid him shall not exceed thirty dollars per quarter, which amount shall be paid out of the road and bridge fund, when the account shall have been approved by the commissioners court, and the court shall not approve said account unless the commissioner presenting it shall sign an oath that the account is just, due and unpaid, specifying the number of days actually performed by him, and that it was necessary to be done; and no commissioner shall be entitled to pay as road commissioner either for himself or his deputy while he

is performing the duties of county commissioner, nor shall he receive any additional pay than that provided by this section for inspecting or riding over his roads, or for any other road service.

"Sec. 19. This act shall be taken notice of by all courts in the same manner as a general law of this State, and it shall be construed to be cumulative of all General Laws of the State on the subject of roads and bridges, when not in conflict therewith, but in case of conflict this act shall control as to Montgomery county; and all local or special laws in conflict herewith are hereby repealed.

"Sec. 20. The fact that there is now no sufficient general road law in this State creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

The amendment was read, and adopted.

Bill as amended was ordered engrossed.

On motion of Senator Neal, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Davidson of	Miller.
DeWitt.	Neal.
Davidson of	Odell.
Galveston.	Paulus.
Goss.	Potter.
Grinnan.	Savage.
Hanger.	Swann.
Harris of Hunt.	Turner.
James.	Wayland.
Johnson.	Wheeler.
Lipscomb.	Wilson.
Lloyd.	Yett.
McGee.	

Absent.

Beaty.	Patterson.
Dibrell.	Sebastian.
Harris of Bexar.	Staples.

Absent—Excused.

Stafford.	Turney.
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Bill was read third time, and passed by the following vote:

Yeas—24.

Davidson of	James.
DeWitt.	Johnson.
Davidson of	Lipscomb.
Galveston.	Lloyd.
Goss.	McGee.
Grinnan.	Miller.
Hanger.	Neal.
Harris of Hunt.	Odell.

Patterson.
Paulus.
Potter.
Savage.
Swann.

Turner.
Wayland.
Wheeler.
Wilson.
Yett.

Absent.

Beaty.	Sebastian.
Dibrell.	Staples.
Harris of Bexar.	

Absent—Excused.

Stafford.	Turney.
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Senator Neal moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

Motion to table prevailed.

SIMPLE RESOLUTION.

Senators Potter and McGee presented the following resolution:

Resolved, That the Senate of Texas has learned with sorrow and profound regret of the death of General Benjamin Harrison, ex-president of the United States of America, at his home in Indianapolis, Ind.; and

Resolved, That in the death of General Harrison the nation has lost a great citizen, a learned lawyer and a worthy and patriotic and distinguished statesman; and

Resolved, That the Secretary of the Senate be and he is hereby directed to forward a copy of this resolution to the family of the illustrious dead.

Senator Davidson of DeWitt moved that the resolution be adopted by a rising vote.

The motion prevailed, the same being unanimously adopted.

SENATE BILL NO. 161—PENDING BUSINESS.

The Chair laid before the Senate pending business, Senate bill No. 161 (see caption above), question being on the motion of Senator James to table the following amendment offered by Senator Goss (see Journal March 13, page 452): "Amend by adding Section 2, and changing Sections 3 and 4 to correspond, as follows:

"The sum of \$200,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the State treasury not otherwise appropriated to be used in payment of the expenses for which the State is made liable by this act."

Motion to table prevailed by the following vote:

Yeas—22.

Davidson of	Davidson of
DeWitt.	Galveston.

Grinnan.	Patterson.
Hanger.	Paulus.
James.	Potter.
Johnson.	Savage.
Lipscomb.	Swann.
Lloyd.	Turner.
McGee.	Wayland.
Miller.	Wheeler.
Neal.	Wilson.
Odell.	Yett.

Nays—1.

Goss.

Absent.

Beaty.	Harris of Hunt.
Dibrell.	Sebastian.
Harris of Bexar.	Staples.

Absent—Excused.

Stafford.

Turney.

(Lieutenant-Governor Browning in the chair.)

Senator James moved to reconsider the vote by which the Senate on yesterday adopted the following amendment offered by Senator Wheeler:

"Amend by inserting in line 18, page 3, between the words 'and' and 'such,' the words 'one-half of,' and by adding after the word 'paid,' in line 20, on page 3, the words 'and the remainder of said expenses shall be assumed and paid by the State.'"

Pending further consideration of the foregoing,

Senator Miller moved the previous question on the motion to reconsider and the bill, which motion failing to be seconded,

Senator Wheeler moved to table the motion of Senator James to reconsider.

Motion to table was lost.

Action recurring on the motion of Senator James to reconsider, the same prevailed by the following vote:

Yeas—17.

Davidson of	Patterson.
DeWitt.	Paulus.
Davidson of	Potter.
Galveston.	Savage.
Harris of Hunt.	Swann.
James.	Turner.
Johnson.	Wayland.
McGee.	Wilson.
Miller.	Yett.
Odell.	

Nays—8.

Beaty.	Lipscomb.
Goss.	Lloyd.
Grinnan.	Neal.
Hanger.	Wheeler.

Absent.

Dibrell.	Sebastian.
Harris of Bexar.	Staples.

Absent—Excused.

Stafford.

Turney.

IN THE SENATE.

The Chair had read and referred the following House bills (see foregoing first House message):

House bill No. 255 to Judiciary Committee No. 1.

House bill No. 275 to Judiciary Committee No. 1.

House bill No. 297 to Committee on Internal Improvements.

House bill No. 242 to Committee on Agricultural Affairs.

House bill No. 291 to Committee on Internal Improvements.

BILLS AND RESOLUTIONS.

(By unanimous consent.)

By Senator Paulus:

Senate bill No. 266, A bill to be entitled "An Act to amend Articles 4730 and 4730a, Title XCVII, Chapter 3, of the Revised Statutes of the State of Texas, designating persons liable to work on roads, and their rights and duties."

Read first time, and referred to Committee on Roads, Bridges and Ferries.

By Senator Paulus:

Senate bill No. 267, A bill to be entitled "An Act to amend Article 4717, Title XCVII, Chapter 2, of the Revised Statutes, relating to the appointment of road overseers, and the appointment of hands by the commissioners court."

Read first time, and referred to Committee on Roads, Bridges and Ferries.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, March 13, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 42, being a bill to be entitled "An Act to amend Section 1, Chapter 128, of an Act passed by the Twenty-sixth Legislature of the State of Texas, at its Regular Session, and sent to the Governor for his approval on the 20th day of May, A. D. 1899, and entitled 'An Act providing a mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in the following counties, or in any subdivision of said counties, viz.: Cooke, Bell, Ellis Montague, Fayette, Johnson, Collin, Rockwall, Lamar, Milam, Denton, Falls, Navarro, Fannin, Hunt, Tar-

rant, Grayson, Guadalupe, Dallas, Austin, Brazos, Lavaca,' so as to place Lavaca, Colorado, Washington, Williamson, Smith and Delta counties under the provisions of said chapter, and to declare an emergency,"

And find the same correctly enrolled, and have this day, at 12 m., presented the same to the Governor for his approval.

WILSON, Chairman.

Committee Room,

Austin, Texas, March 14, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 29, being a bill to be entitled "An Act to establish an industrial institute and college in the State of Texas for the education of white girls in the arts and sciences,"

And find the same correctly engrossed.

BEATY, Chairman.

ADJOURNMENT.

Senator Patterson moved that the Senate stand adjourned until 10 o'clock tomorrow morning.

Senator Potter moved that the Senate take a recess until 3 o'clock p. m.

Action recurring on the longest time first, the motion of Senator Patterson prevailed, and accordingly the Senate, at 12:45 p. m., adjourned until 10 o'clock a. m. tomorrow.

Sacred to the Memory

of

Mrs. Theodore Harris.

Senator Miller presented to the Senate a telegram announcing the death of the wife of the Senator from Bexar (Mr. Theodore Harris) and moved that a committee of three be appointed to draft suitable resolutions.

The motion prevailed and the chair appointed the following committee: Senators Miller, Odell and Swann.

Senator Miller, chairman of the committee, reported the following:

AUSTIN, TEXAS, March 14, 1901.

Hon. J. N. Browning, President of the Senate:

Your committee appointed to draft resolutions expressive of the sentiments of the Senate over the loss sustained by Senator Theodore Harris of Bexar in the death of his wife, beg leave to report that the Senate of the State of Texas tender to our worthy colleague the sincere sympathy of this body in his bereavement; that a committee of three be appointed by the President of this body to convey in person to the bereaved Senator a copy of these resolutions and to be with him in the last sad rites attending the burial of his beloved wife; further, that when the Senate adjourns today, that it adjourn out of respect to the memory of Mrs. Theodore Harris, late wife of Senator Theodore Harris of Bexar county, and that a separate page of the SENATE JOURNAL be set aside for these resolutions.

MILLER,
SWANN,
ODELL.

The resolution was read second time, and unanimously adopted by a rising vote.

The chair appointed Senators Miller, James and Swann, the committee provided for by the resolution.